

### **DETAILED ACTION**

1. This Office Action is in response to the Amendment After Final rejection filed 03/04/2010. Claims 1, 3, 4, 6, 8-11, 13 and 22-24 are pending and have been examined.

#### ***Response to Arguments***

2. Applicant's arguments, see Remarks pgs. 10-11, filed 03/04/2010, with respect to the priority date of the Berezowski reference (US 2002/005687) have been fully considered and are persuasive. The rejection of claims 1, 3, 4, 6, 8-11, 13 and 22-24 has been withdrawn.

#### ***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

Claims 1, 3, 4, 6, 8-11, 13 and 22-24 are allowable because the prior art fails to teach or suggest an apparatus for calculating the audience rating of an interactive television service, comprising: a history recorder saving a user's actions corresponding to different sections of the content; the actions including normal finish, stop, skim and skip; wherein the normal finish record area stores a flag value indicating whether a user watched a content from a beginning to an end at a normal speed, the stopped record area stores a stop point indicator indicating a latest stopped point in the middle of the content, the skimmed record area stores a section start/end information or a section start/length information relating to a section having the skimmed action, and the skipped record area stores a section start/end information or a section start/length information relating to a section having the skipped action, wherein the normal finish record area,

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the stopped record area, the skimmed record area and the skipped record area include an area for storing the frequency of an action per section, as recited in the claims.

The closest prior art, Inoue et al. (US 7,003,790), discloses a user action recording system. Inoue either singularly or in combination fails to anticipate or render the above limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN SCHNURR whose telephone number is (571)270-1458. The examiner can normally be reached on M-F 9a-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

JRS